

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Kiyohiko GONDO et al.
Title: PHOTOELECTRIC SENSOR
Appl. No.: 10/657,711
Filing Date: 09/09/2003
Examiner: Unassigned
Art Unit: 2878

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56**

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.



TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

In a counterpart Japanese application, a Japanese Office Action was issued on November 27, 2003. According to an English translation obtained by Applicants' representative of the Japanese Office Action, the Japanese Patent Office made certain characterizations of the references.

According to the Japanese Office Action, document B4 discloses a photoelectric sensor, and specifically it recites in Fig. 5 that an APC circuit "reads a target value from a memory" and "checks whether a detection level of a monitor satisfies the target value" to "store a value of LED driving current". Such recitations correspond to "a target value storage unit" and "sensitivity adjustment means for adjusting a power of the detection light" in the invention according to Claim 1 of the present application.

Further, Reference 4 also discloses an amplifier separation type, a fiber type, a transmission type and a reflection type.

About details of construction such as threshold value setting means, please refer to References 1-3 and 5.

Additionally, the range of numerical value can be properly set by those in the art if necessary.

As noted, the characterizations of the Japanese Patent Office noted above are based on an English translation obtained by Applicants' representative. The disclosure of these characterizations should not be construed as an admission of or agreement to the opinions expressed in the Japanese Office Action.

English translations of the foreign-language documents are not readily available. However, the absence of such translations does not relieve the PTO from its duty to consider the submitted foreign language documents (37 CFR §1.98 and MPEP §609). English language abstracts are provided herewith.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

By 

Date: May 5, 2004

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Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	10/657,711
Date Submitted: May 5, 2004		Filing Date	09/09/2003
(use as many sheets as necessary)		First Named Inventor	Kiyohiko GONDO
Sheet	1	Group Art Unit	2878
		Examiner Name	Unassigned
		Attorney Docket Number	044499-0175

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
o	B4	KIYOSHI IMAI et al., "Development of E3X-DA-N Optical Fiber Photoelectric Sensor with Auto Power Control Function", Omron Technics, 2001, pages of Japanese language text 7-10, pages of English language 1-6, vol. 41-no. 1.	
~	B5	TAKASHI KAMI, "Integration of a microcomputer with minimized noise [4]", Electro Magnetic Compatibility (EMC), 1997, page of Japanese language text 45-50, pages of English language text 10-11, vol. 9-no. 10.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO).

Standard ST.3. "For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document."

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.